

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MATTHEW WIGGINS,

Plaintiff,

v.

CIVIL NO. 09-0741 JCH/LAM

M. CULLUGH, et al.,

Defendant.

**ORDER DENYING
APPLICANT'S MOTION FOR THE APPOINTMENT OF COUNSEL (Doc. 8)**

THIS MATTER is before the Court on Plaintiff Wiggins' *Motion for App[oi]n[t]ment of Counsel* (Doc. 8), filed on September 23, 2009. The Court has reviewed the motion and **FINDS** that the motion is not well-taken and should be **DENIED** at this time.

When ruling on a motion for appointment of counsel, a court considers ““the merits of the litigant’s claims, the nature of the factual issues raised in the claims, the litigant’s ability to present his claims, and the complexity of the legal issues raised by the claims.”” *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995) (quoting *Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991)). In considering Mr. Wiggins’ motion for appointment of counsel, the Court has carefully reviewed the motion, relevant case law, and the pleadings filed in this case in light of the above-referenced factors. Having done so, the Court finds that Mr. Wiggins appears to understand the issues in the case and appears to be representing himself in a capable manner.

IT IS THEREFORE ORDERED that Mr. Wiggins’ *Motion for App[oi]n[t]ment of Counsel* (Doc. 8) is **DENIED** at this time.

IT IS SO ORDERED.

Lourdes A. Martinez
THE HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE